

**GLASTONBURY TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 22, 2015**

The Glastonbury Town Council with Town Manager, Richard J. Johnson, in attendance, held a Regular Meeting at 7:00 p.m. at the Council Chambers of Town Hall, 2155 Main Street, Glastonbury, Connecticut.

1. Roll Call

Council Members

Dr. Stewart Beckett III, Chairman
Mr. Whit C. Osgood, Vice Chairman
Mrs. Jill Barry
Ms. Karen Boisvert
Mr. Lawrence J. Byar
Mr. Kurt P. Cavanaugh
Mr. William T. Finn *{excused}*
Mrs. Cara (Tonucci) Keefe

1. Roll Call.

a) **Pledge of Allegiance**

Led by Mrs. Barry

2. Public Comment.

None

3. Special Reports.

None

4. Old Business.

None

5. New Business.

(a) Action on Agreement for potential sale of town-owned property – 232 Williams Street (set public hearing).

Mr. Johnson reviewed his memo on the topic to the Council dated September 22, 2015, noting that the closing is scheduled for January 29, 2016, with \$25K being put down at the signing and another \$25K at the end of the due diligence period. He added that at the end of the due diligence period, if there are no requests, he suggested they start the zone change process. Mr. Cavanaugh asked the year the sale was approved by referendum to which Mr. Johnson replied saying 2009. Ms. Boisvert asked about the zoning. Mr. Johnson explained that the Reserved Zone is exclusive to town property and thus it would be inappropriate to remain in that zone. He

continued saying that there are Planned Commerce and Rural Residence in the area but that Planned Commerce would be the most appropriate.

Motion By: Mr. Cavanaugh

Seconded By:

Mrs. Barry

BE IT RESOLVED, that the Glastonbury Town Council hereby schedules a public hearing for 8:00 p.m. on Tuesday, October 13, 2015 in the Council Chambers of Town Hall, 2155 Main Street, Glastonbury, to consider proposed sale of the town-owned property at 232 Williams Street, pursuant to the Agreement for Sale and Purchase of Real Estate dated September 22, 2015 and as described in a report by the Town Manager dated September 18, 2015.

Result: Motion passes unanimously {8-0-0}.

(b) Action on Pension Plan Amendments No. 14 and No. 15 – Education staff.

Mr. Johnson reviewed his memo on the topic to the Council dated September 18, 2015, emphasizing that whenever there is a change to the plan, that change becomes part of the plan document. He continued saying that there were two changes that need to be incorporated.

Motion By: Mr. Cavanaugh

Seconded By:

Mrs. Barry

BE IT RESOLVED, that the Glastonbury Town Council hereby approves Pension Plan Amendment No. 14 and No. 15 for Board of Education staff to formally enact pension amendments previously approved by the Board of Education, as described in a report by the Town Manager dated September 18, 2015.

Result: Motion passes unanimously {8-0-0}.

(c) Action on Between Department transfers – FY 2014-2015.

Mr. Johnson reviewed his memo on the topic to the Council dated September 18, 2015, saying that this is part of the year end close. He said that they budget for a five year average winter which was exceeded this winter requiring some transfers from areas they realized savings. Mr. Osgood said that it is good news they were able to avoid using fund balance and asked the amount returned from operations. Mr. Johnson said that there was \$300,000 or \$350,000 from town operations but noted the unexpected expenditures for the Riverfront fix.

Motion By: Mr. Cavanaugh

Seconded By:

Mrs. Barry

BE IT RESOLVED, that the Glastonbury Town Council hereby approves a \$149,792 transfer between Community Development, General Government, Public Safety and Sanitation budget accounts to Highway and Parks & Recreation Overtime accounts for winter storm costs accrued for 2015 winter storm operations, as described in a report by the Town Manager dated September 18, 2015 and as recommended by the Board of Finance.

Result: Motion passes unanimously {8-0-0}.

6. Consent Calendar.

(a) Action on FY 2016-2017 Public Health Emergency Preparedness Grant - \$50,570.

Motion By: Mr. Cavanaugh

Seconded By:

Mrs. Barry

BE IT RESOLVED, that Richard J. Johnson, Town Manager, is authorized to make, execute, and approve on behalf of the Town of Glastonbury, any and all contracts or amendments thereof with the State of Connecticut Department of Public Health for the 2016 and 2017 Public Health Emergency Preparedness Grant.

Result: Motion passes unanimously {8-0-0}.

7. Town Manager's Report.

Mr. Johnson reviewed his report to the Council dated September 18, 2018, noting the siting council approved the landscaping plan but not their request for sound monitoring and mitigation. Mr. Byar said it was unfortunate the siting council ignored the pleas of a town and citizens and there is no recourse. He asked about the restoration of the walls at the Matson Hill Open Space. Mr. Johnson said that there was no action taken in that regard. Mr. Byar asked if there had been any vandalism to which Mr. Johnson said not to his knowledge. Mr. Osgood asked about the fencing. Mr. Johnson said that they would be using a 5-6" black metal fence. Mr. Finn said he attended the siting council meeting and it was very clear the siting council had no intention of taking into consideration the requests of the Town Council. He said it was very frustrating particularly serving in government, that there was no opportunity for dialogue. He found it very troubling but thanked beautification for all their efforts. He suggested that when they hear of activities from the siting council, they mount an immediate and effective response. Mrs. Barry noted the successful sidewalk program and asked how citizens can make a request. Mr. Johnson suggested a letter to a Town Council Member or to the Town Manager so it can be added to the matrix and prioritized.

8. Committee Reports.

None

(a) Chairman's Report.

2. Public Comment.

Continued

Mr. Steve Smith of 73 Dogwood Lane said he has two elementary aged children and said that the lack of air conditioning makes the schools unbearable when there is hot weather with classroom temperatures >90 degrees. He said that the children can't think and no one would tolerate those working conditions and both in class conditions and early release gives up their education time. He continued saying that the principal is comfortable but the teachers and children are suffering. He said he understands that there is an expense to retrofit but small units could be used instead. He said due to safety issues, they can't open doors for any relief. He noted the great recreation facilities in town and said that he can't understand why there is no air conditioning in all the

schools. He emphasized 90 degrees is intolerable and that he uses a sauna at the gym but can only take four or five minutes having to get out because he can't breathe and yet the children are having to try to work in these conditions.

Mrs. Deb McFall of 40 Bidwell said he has two elementary aged children and noted the inequity between the schools with air conditioning and those without. She said that she supports the elderly and would like the children supported by installing air conditioning. She said it isn't just a convenience but necessary and important.

Mr. Eric Rowland of Tall Timbers also spoke on air conditioning specifically at Buttonball saying that there has been 21 days so far this year over 80 degrees in the classroom and no one here would work in those conditions. He said that 11% of their school year has been diminished by being distracted and uncomfortable. He noted the boathouse and said that this is much more important than that. He noted the equity issue among the schools and urged the Council to have the courage to get it done.

Chairman Beckett asked Mr. Johnson about money allocated for air conditioning. Mr. Johnson said that there have not been funds allocated but there have been discussions and a study done some years back.

9. Communications.

- (a) **Letter from Crown Castle to Ct Siting Council re modifications to existing communication facilities at 374 Three Mile Road (T-Mobile).**
- (b) **Letter from Robinson & Cole to CT Siting Council re modifications to existing communication facilities at 374 Three Mile Road (Verizon).**
- (c) **Letter from Robinson & Cole re utility pole attachment modifications to be performed by Cellco on behalf of Verizon Wireless.**
- (d) **Communication from the Board of Education on the subject of air conditioning in the schools**

10. Minutes

- (a) **Minutes of September 1, 2015 Council Special Meeting.**

Motion By: Mr. Cavanaugh **Seconded By:** Mrs. Barry
BE IT RESOLVED, that the Glastonbury Town Council hereby approves the minutes as submitted for the special meeting held September 1, 2015.

Result: Motion passes unanimously {8-0-0}.

11. Appointments and Resignations.

None

12. Executive Session.

- (a) Pending litigation – LAC Group v. Town of Glastonbury.**
- (b) Potential property acquisition.**
- (c) Draft terms and conditions for potential sale of town-owned land – Western Boulevard.**

Motion By: Mr. Cavanaugh **Seconded By:** Mrs. Barry

BE IT RESOLVED, that the Glastonbury Town Council hereby enters executive session at 7:35 pm for the purposes of discussing Pending litigation – LAC Group v. Town of Glastonbury, potential property acquisition and draft terms and conditions for potential sale of town-owned land – Western Boulevard.

Result: Motion passes unanimously {8-0-0}.

Present for the executive session were Town Council Members: Dr. Stewart Beckett, III, Chairman, Mr. Whit C. Osgood, Vice Chairman, Mrs. Jill Barry, Ms. Karen Boisvert, Mr. Lawrence J. Byar, Mr. Kurt Cavanaugh, Mr. William Finn and Mrs. Cara Keefe with Town Manager, Richard J. Johnson.

Motion By: Mr. Cavanaugh **Seconded By:** Mrs. Barry

BE IT RESOLVED, that the Glastonbury Town Council hereby exits executive session at 7:58 pm.

Result: Motion passes unanimously {8-0-0}.

PUBLIC HEARINGS AND ACTION ON PUBLIC HEARINGS – 8:00 P.M.

NO. 1 AMENDMENT TO TOWN CODE – CHAPTER 7.5 – FOOD SERVICE.

Mr. Johnson reviewed the memo on the topic to the Council dated September 18, 2015, mentioning it was discussed at the last meeting. Ms. Wendy Mis, Director of Health, said that she looked at the code which hadn't been updated in 13 years. She reviewed the food service permits, the basic annual permit, 14 day temporary and a seasonal market permit which is for food vendors working alongside farmers at season long markets. She said that there is some cleanup of language and a provision for late fees as 20% of the permit applications were late which is a significant draw on staff time. She also noted the provision for a pro-rated license for businesses starting up mid-year. Mr. Byar confirmed with Ms. Mis that seasonal permits excluded farmers with locally grown products. Ms. Boisvert asked about the music festival which is Wednesdays during July. Ms. Mis said that two temporary permits strung together would probably work best. Mr. Osgood noted that would be two \$60 licenses where a farmer's market license was \$95. Chairman Beckett called for public comment but no one spoke. Hearing nothing further, he closed the public hearing.

Motion By: Mr. Cavanaugh **Seconded By:** Mrs. Barry

BE IT RESOLVED, that the Glastonbury Town Council hereby approves amendments to Town Code Section 7.5 – Food Service, as described in a report by the Town Manager dated September 18, 2015.

Result: Motion passes unanimously {8-0-0}.

NO. 2 TRANSFER FROM GENERAL FUND-UNASSIGNED FUND BALANCE FOR GOODS AND SERVICES ORDERED BUT NOT YET RECEIVED AT JUNE 30, 2015 - \$312,307.MOTIONS – SEPTEMBER 22, 2015 COUNCIL MEETING

Mr. Johnson reviewed the memo on the topic to the Council dated September 18, 2015, noting that this is an annual action required for the close. Chairman Beckett called for public comment but no one spoke. Hearing nothing further, he closed the public hearing.

Motion By: Mr. Cavanaugh **Seconded By:** Mrs. Barry
BE IT RESOLVED, that the Glastonbury Town Council hereby approves a \$312,307 transfer from the General Fund-Unassigned Fund Balance for goods and services ordered but not received as of June 30, 2015, as described in a report by the Town Manager dated September 18, 2015, and as recommended by the Board of Finance.

Result: Motion passes unanimously {8-0-0}.

13. Adjournment

Motion By: Mr. Cavanaugh **Seconded By:** Mrs. Barry
BE IT RESOLVED, that the Glastonbury Town Council hereby adjourns their regular meeting of September 22, 2015, at 8:11 pm.

Result: Motion passes unanimously {8-0-0}.

Respectfully submitted,

Kimberly Meanix Miller

Kimberly Meanix Miller
Recording Clerk

Stewart Beckett, III
Chairman